IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 31720 of 2007(A)

PETITIONERS:

1. S.BALAN, S/O. P.SIVANAPPAN ACHARI,
AGED 66, MARTTASSARI HOUSE, PALLIKARA TEMPLE ROAD,
S.S.K.S. LANE, VADUTHALA, COCHIN-682 028.

2. G.S.MANI, S/O. K.GANAPATHI, AGED 49,
39/2558, WARRIAM ROAD, ERNAKULAM.

BY ADV. SMT.R.RANJINI
SRI.S.RENJITH

RESPONDENTS:

1. COCHIN DEVASWOM BOARD,
THRISSUR, REP. BY ITS SECRETARY.

2. ERNAKULAM KSHETHRA KSHEMA SAMITHI,
ERNAKULAM SIVA TEMPLE, ERNAKULATHAPPAN HALL,
ERNAKULAM, REPRESENTED BY SECRETARY.

3. DEVASWOM OFFICER,
ERNAKULAM SIVA TEMPLE, ERNAKULAM.

BY ADV. SRI.K.GOPALAKRISHNA KURUP,SC,COCHIN D.B

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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W.P.(C)No.31720 OF 2007

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Dated this the 25th day of October, 2007

JUDGMENT

Radhakrishnan, J

Heard learned counsel for the petitioner and learned Standing Counsel for the Cochin Devaswom Board.

2. Writ petition is preferred seeking a writ of certiorari to quash Ext.P6 order passed by the first respondent/Board and also for a declaration that the 2nd respondent has no right to continue to function from 1.8.2001 by virtue of Ext.P5 circular, and that the 1st respondent has no authority or jurisdiction to issue Ext.P6 order or orders of like nature permitting/authorizing the 2nd respondent to continue its function. We have perused Ext.P6 order dated 21.7.04 by which the first respondent has permitted the 2nd respondent/Samithi to continue as such till a final decision is taken by this Hon'ble Court on the application submitted by the first respondent. We leave it to the Board to consider all aspects of the matter and take appropriate decision in accordance with law.

Writ petition is disposed of as above.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

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